## **UTILITY PATENT APPLICATION TRANSMITTAL** (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No. 59751 (70868)

Total Pages in this Submission 97 excl. refs. and cert. copy

### TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application	PTO									
Washington, D.C. 20231	). 154									
Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:	4 u.s.									
OPTICAL PICK-UP APPARATUS										
and invented by:										
HORIYAMA, Makoto										
If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:										
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:										
Which is a: ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:										
Which is a:										
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:										
Chalanad are:										
Enclosed are:  Application Elements										
1. 図 Filing fee as calculated and transmitted as described below										
2. Specification having pages and including the following:	cification having 57 pages and including the following:									
a. 🗵 Descriptive Title of the Invention										
b.   Cross References to Related Applications (if applicable)										
c.   Statement Regarding Federally-sponsored Research/Development (if applicable)										
d.   Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix										
e. 図 Background of the Invention										
f. 🗵 Brief Summary of the Invention										
g.   Brief Description of the Drawings (if filed)										
h. 🗵 Detailed Description										
i. 🗵 Claim(s) as Classified Below										
j. 🗵 Abstract of the Disclosure										



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Application Elements (Continued)										
3.	$\boxtimes$	Drawing(s) (when necessary as prescribed by 35 USC 113)								
	a.	□ Formal Number of Sheets 27								
	b.	☐ Informal Number of Sheets								
4.	X	Oath or Declaration								
	a.	☐ Newly executed (original or copy) ☐ Unexecuted								
	b.	☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)								
	C.	☑ With Power of Attorney ☐ Without Power of Attorney								
	d.	☐ <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).								
5.		Incorporation By Reference (usable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.								
6.		CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)								
7.		Application Data Sheet (See 37 CFR 1.76)								
8.		Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)								
	a.	☐ Computer Readable Form (CRF)								
	b.	□ Specification Sequence Listing on:								
		i. CD-ROM or CD-R (2 copies); or								
		ii. 🔲 Paper								
	C.	☐ Statement(s) Verifying Identical Paper and Computer Readable Copy								
		Accompanying Application Parts								
9.		Assignment Papers (cover sheet & document(s))								
10.		37 CFR 3.73(B) Statement (when there is an assignee)								
11.		English Translation Document (if applicable)								
12.	X	Information Disclosure Statement/PTO-1449   Copies of IDS Citations								
13.		Preliminary Amendment								
14.	X	Return Receipt Postcard (MPEP 503) (Should be specifically itemized)								
15.	X	Certified Copy of Priority Document(s) (if foreign priority is claimed)								
16.	X	☑ Certificate of Mailing								
		☐ First Class ☒ Express Mail (Specify Label No.): EV342619610US								

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### **Accompanying Application Parts (Continued)**

. 🛛	Additional Enclosures (please identify below):					
	Certified Copy of Japanese Patent Application No. 2002-244083					
	Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)					
8.	Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.					
	Warning					
	An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.					

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#### Fee Calculation and Transmittal

		CLAIMS	AS FILED						
For	#Filed	#Allowed	#Extra		Rate	Fee			
Total Claims	11	- 20 =	0	х	\$18.00	\$0.00			
Indep. Claims	1	- 3 =	0	x	\$84.00	\$0.00			
Multiple Dependent C	laims (check if	applicable)				\$0.00			
					BASIC FEE	\$750.00			
OTHER FEE (specify purpose)						\$0.00			
					TOTAL FILING FEE	\$750.00			
<ul> <li>☑ The Commissioner is hereby authorized to charge and credit Deposit Account No. as described below. A duplicate copy of this sheet is enclosed.</li> <li>☐ Charge the amount of as filing fee.</li> <li>☑ Credit any overpayment.</li> <li>☑ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.</li> <li>☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).</li> </ul>									
Dated: August 21, 2003 David A.					Fucker (Reg. No. 27,840) OS & ANGELL, LLP 0169 A 02209				

CC:

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HORIYAMA, Makoto

Application No.:

Not yet assigned

Group:

Not yet assigned

Filed:

Herewith

Examiner:

Not yet assigned

For:

OPTICAL PICK-UP APPARATUS

Mail Stop: PATENT APPLICATIONS Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

#### **CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. 1.10**

I hereby certify that the following correspondence:

Utility Patent Application and all its attachments..

Are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 (Express Mail Label No. EV 342619610 US), and is addressed to:

Mail Stop: PATENT APPLICATIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on August 21, 2003

Elena Misiaszek

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